

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2004:

Present

Vote

Thomas G. Shepperd, Jr., Chairman
James S. Burgett, Vice Chairman
Walter C. Zaremba
Sheila S. Noll
Kenneth L. Bowman

On motion of _____, which carried ____, the following ordinance was adopted:

AN ORDINANCE TO AMEND YORK COUNTY CODE SECTION 15-49 WITH RESPECT TO THE KEEPING OF INOPERATIVE MOTOR VEHICLES, TRAILERS, OR SEMITRAILERS ON PROPERTY ZONED RESIDENTIAL OR COMMERCIAL, TO DEFINE THE TERM "SHIELDED OR SCREENED FROM VIEW," AND TO ALLOW THE KEEPING OF ONE ADDITIONAL INOPERATIVE MOTOR VEHICLE SHIELDED OR SCREENED FROM VIEW, BUT NOT WITHIN A FULLY ENCLOSED BUILDING OR STRUCTURE, IF USED IN THE ACTIVE RESTORATION OR REPAIRING OF A VEHICLE

BE IT ORDAINED by the York County Board of Supervisors, this ____ day of _____, 2004, that section 15-49, York County Code, be and it is hereby amended to read and provide as follows:

Sec. 15-49. Keeping of inoperative motor vehicles, trailers or semitrailers on property zoned residential or commercial.

- (a) It shall be unlawful for any person, firm or corporation to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned for residential or commercial purposes pursuant to chapter 24.1, Zoning, of this Code any motor vehicle, trailer or semitrailer, as such are defined in section 46.2-100, Code of Virginia, which is inoperative. As used in this section, "shielded or screened from view" means not visible by someone standing at ground level from outside the property on which the subject vehicle is located.

- (b) It shall be unlawful for any person, firm or corporation on any property zoned for residential or commercial purposes pursuant to chapter 24.1, Zoning, of this Code to keep more than one (1) inoperative motor vehicle, even if shielded or screened from view by covers, unless they are kept within a fully enclosed building or structure. Notwithstanding the foregoing, however, if the owner of such vehicle shielded or screened from view but not within a fully enclosed building or structure, can demonstrate that he is actively restoring or repairing the vehicle, and if it is shielded or screened from view, the vehicle and one additional inoperative motor vehicle being used for restoration or repair may remain on the property. Any person, firm or corporation operating in a commercial district a use permitted by category 12, Motor Vehicle/Transportation, of section 24.1-306 of this Code may keep more than one (1) inoperative motor vehicle outside a fully enclosed building or structure provided it is shielded or screened from view and otherwise conforms with the requirements of this Code
- (c) As used in this section, an "inoperative motor vehicle" shall mean any motor vehicle which is not in operating condition, or which for a period of sixty (60) days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine or other essential parts required for operation of the vehicle, or on which there are displayed neither valid license plates nor a valid inspection decal.
- (d) The provisions of this section shall not apply to a licensed business which on June 26, 1970, was regularly engaged in business as an automobile dealer, salvage dealer or scrap processor, nor shall it apply to any motor vehicle for which the annual license tax required by section 15-31 has been paid or to any motor vehicle exempt from such license tax by virtue of subsections 15-35(a) through and including 15-35(o).
- (e) The owners of property zoned for residential or commercial purposes shall, by the effective date of the ordinance from which this section was derived, comply with the provisions of this section.
- (f) The county administrator may remove or cause to be removed any such inoperative motor vehicles, trailers or semitrailers whenever the owner of the premises, after reasonable notice, has failed to do so.
- (g) In the event the county administrator removes or causes to be removed any such inoperative motor vehicles, trailers or semitrailers, after having given such reasonable notice, the county may dispose of such motor vehicles, trailers or semitrailers after giving additional notice to the owner of the vehicle.
- (h) The cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the treasurer as taxes and levies are collected.

- (i) Every cost authorized by this section with which the owner of the premises has been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs has been made to the county.
- (j) A violation of this section shall constitute a Class 3 misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00).